

P24077.A02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Shinnosuke NAKAHARA et al.

Group Art Unit: 3738

Appln. No : 10/642,684

Examiner: Unknown

Filed : August 19, 2003

For : INTERVERTEBRAL CAGE

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56, §1.97-1.98, and supplemental to the Information Disclosure Statement filed on November 19, 2003, Applicants submit herewith a copy of a communication from the European Patent Office dated December 22, 2003 with respect to counterpart application No. EP 03 01 8957, which includes a European Search Report and Annex thereto, in which the European Examiner cited the following documents.

WIPO PCT Patent Publication No. WO 02/03895, which published on January 17, 2002, and which has an English language abstract thereof;

U.S. Patent Application Publication No. 2002/052656 to MICHELSON, which published on May 2, 2002;

WIPO PCT Patent Publication No. WO 02/036049, which published on May 10, 2002; and  
French Patent Publication No. 2 779 941, which published on December 24, 1999, along with patent family member U.S. Patent No. 6,527,803 to CROZET et al. which issued on March 4, 2003.

The category of relevance, pertinent portions, and E P claims to which each document is relevant, as ascertained by the European Examiner applying European rules to the European claims are set forth in the European Search Report.

Applicants respectfully request that the Examiner consider and cite the patent documents. Copies of the above-noted documents are attached and have been listed on a PTO-1449 Form which is also attached hereto. Accordingly, the Examiner is requested to initial the appropriate spaces on the attached PTO-1449 Form and to return a copy of the Form to the Applicants with the next official communication in the present application to confirm consideration of these documents.

Applicants note that an Office Action on the merits has not yet issued in the instant application, and thus, no fee is necessary to ensure consideration of this statement. However, if an Office Action has issued and is crossing in the mail with this statement, the Commissioner is hereby authorized to charge Deposit Account No. 19-0089 any fee necessary to ensure consideration of the submitted materials.

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Should the Examiner have any questions, the Examiner is invited to contact the undersigned  
at the below-listed telephone number.

Respectfully submitted,  
Shinnosuke NAKAHARA et al.

*Will. H. Lytle Reg. No.*  
-----  
Bruce H. Bernstein 41,568  
Reg. No. 29,027

January 20, 2004  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

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Form PTO-1449						U.S. Department of Commerce Patent and Trademark Office							Atty. Docket No. P24077				Serial No. 10/642,684							
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)																	Applicant S. NAKAHARA et al.							
																	Filing Date August 19, 2003						Group 3738	
U.S. PATENT DOCUMENTS																								
EXAMINER INITIAL		DOCUMENT NUMBER						DATE		NAME				CLASS		SUBCLASS		FILING DATE IF APPROPRIATE						
		6	5	2	7	8	0	3	03/04/03	CROZET et al.														
200		2	0	0	5	2	6	5	6	05/02/02	MICHELSON													
FOREIGN PATENT DOCUMENTS																								
		DOCUMENT NUMBER						DATE		COUNTRY				CLASS		SUBCLASS		TRANSLATION YES NO						
		0	2	/	0	3	8	9	5	01/17/02	W.I.P.O.													
		0	2	/	3	6	0	4	9	05/10/02	W.I.P.O.													
			2		7	7	9	9	4	1	12/24/99	FRANCE												
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)																								
EXAMINER										DATE CONSIDERED														
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.																								